



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

FEB 27 2009

Re: **Haxall View, 2101-2113 East Main Street, Richmond, VA**
Project Number: 16668

Dear

My review of your appeal of the decision of Technical Preservation Services, National Park Service (NPS), denying certification of the rehabilitation of the property cited above is concluded. The appeal was initiated and conducted in accordance with Department of the Interior regulations (36 CFR Part 67) governing certifications for Federal income tax incentives for historic preservation as specified in the Internal Revenue Code. Thank you for meeting with me in Washington on November 4, 2008, and for providing a detailed account of the project.

After careful review of the complete record for this project and a site visit on January 18, 2009, I have determined that the rehabilitation of 2101-2113 East Main Street, Richmond, VA, is not consistent with the historic character of the property and the historic district in which it is located, and that the project does not meet Standards 2 and 9 of the Secretary of the Interior's Standards for Rehabilitation. Therefore, the denial issued on July 24, 2008, by Technical Preservation Services (TPS) is hereby affirmed. However, I have further determined that the project could be brought into conformance with the Standards, and thereby be certified, if the corrective measures described below are undertaken.

Haxall View is a complex composed of a four and a half story building (ca. 1870) and two one-story brick buildings constructed in 1890 and 1925. The structures were interconnected during the period of significance of the Shockoe Valley and Tobacco Row Historic District. The oldest of the three buildings, listed as Building 3 in the application, is a four and a half story brick building, with a gable roof constructed circa 1870, with an 1895 four-story flat roofed addition. The structures at 2101-2111 East Main Street (Building 1) and 2113 East Main Street (Building 2) are both one-story brick industrial buildings with extended parapets and flat roofs. The building at 2101-2111 has entrances and windows along both East Main Street and 21st Street. On July

27, 2005, TPS issued a determination that the three buildings contribute to the significance of the Shockoe Valley and Tobacco Row Historic District.

On July 24, 2008, TPS determined that the nearly completed rehabilitation did not to meet Standards 2 and 9 of the Secretary of the Interior's Standards for Rehabilitation, owing to the new mechanical penthouse placed on the roof of Building 1. Standard 2 states that: "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided." Standard 9 states that: "New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the integrity of the property and its environment."

While rooftop additions are generally not recommended for one and two-story buildings, in this case, it is not the size or placement of the rooftop addition *per se*, but rather the materials and colors of this new construction that cause concern. The addition is constructed of prefabricated flat panels, light gray in color, with white-colored trim strips of varying widths at the corners and joints between panels. The drip edge for the roof of the new addition is painted to match the color of the parapet cap on the historic brick facades. Taken together, this combination of materials and colors draws undue attention to the rooftop addition, and causes the addition to be a prominent feature that detracts from the historic integrity of the property. The ventilation stack at the southeast corner of the roof, while less prominent, is constructed of the same materials. As a result, I find that the rooftop addition, as well as the ventilation stack, are incompatible with the industrial character of this historic brick building and thus contravene Standards 2 and 9, cited above.

Another concern, not cited by TPS, is the platform constructed on the east end of the roof of the Building 3 for mechanical equipment serving the apartments below. Other features added to the exterior of Building 3, access walks, balconies, etc., retained the industrial character of the property through their design and choice of materials. However, the mechanical platform, lattice screening, and railings, are constructed of unpainted, pressure-treated lumber, which has the character of a residential deck and is not compatible with industrial character of the property. Accordingly, I find that this feature also contravenes Standards 2 and 9.

While the project as completed cannot be approved, I have further determined that the project can be brought into conformance with the Standards, and thereby achieve the requested certification, if corrective measures are undertaken. Specifically, the rooftop addition and ventilation stack on Building 1 and the mechanical platform on Building 3 must be modified to make them compatible with the historic character of the property. In the case of the rooftop addition and ventilation stack on Building 1, this can be accomplished by installing vertical corrugated metal sheathing and using a monochromatic color scheme, such as was used on the east side of the pedestrian bridge addition over the alley between Building 1 and Building 3. In addition, the rooftop mechanical platform on Building 3 must be painted or treated with an opaque stain compatible with the color of the pedestrian bridge or the metal access walks and railings. These measures would allow the project to be certified as meeting the minimum requirements for certification established by law.

If you choose to proceed with the corrective measures described above, before you commence work, I strongly recommend that you submit an amendment to the Part 2 application describing the proposed changes to Technical Preservation Services, National Park Service, Attention: with a copy to the Virginia Department of Historic Resources. Note that this project will not become a "certified rehabilitation" eligible for the tax incentives until it is so designated by the NPS.

As Department of the Interior regulations state, my decision is the final administrative decision regarding certifications of significance. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Burns', with a stylized, flowing script.

John A. Burns, FAIA
Chief Appeals Officer
Cultural Resources

cc: SHPO/VA
Internal Revenue Service